

Retailer and Dealer Signs Provided by Wholesalers

As alcoholic beverage permit holders, you may have noticed that wholesalers in some parts of the state have removed signage that they previously provided to retailer and dealer permit holders. This action was initiated by the wholesalers in an attempt to clean up a situation which has gotten out of hand over the last few years. They are now working toward coming into compliance with trade practice laws regarding the printing and furnishing of signs to retailers and dealers.

This enforcement action was started when warnings were issued to retail accounts and the wholesalers that provided banners and other signage to them. After speaking with the wholesalers, explaining the trade practice rules, and contacting the Indiana Beverage Alliance, a meeting with ATC Chairman Heath was held to discuss signage issues. Items 1 and 2 below are what the involved parties agreed would be the proper approach to this situation.

1. Outdoor signs (banners) must conform to IC 7.1-5-2-7(c). In short, the banner must be temporary and it must commemorate a sporting event, festival or holiday held in Indiana. It may advertise alcoholic beverages by brand name, **but it may not have pricing information on it.**
2. Indoor signs (posters) must conform to 905 IAC 1.5.2-5 Advertising Specialties. They may have package and pricing information on them, but you cannot add the name of the retailer to the sign. **They must be for inside, point of sale purposes only. They may not be hung in a window facing outward with the intent of outdoor advertising.**

The commission wants all signs featuring pricing information, currently facing outward in retail windows, removed immediately.

The commission also wants you to be aware of 905 IAC 1-5.1-6 Outside Signs. "The furnishing of outside signs to retailers or dealers advertising the retailer's or dealer's premises by a primary source of supply or wholesaler is the furnishing of a thing of value and is prohibited."

Wholesalers - Please do not agree to make signs for permittees that are beyond what's allowed by items 1 and 2 above. Wholesalers are not allowed to provide free signs advertising permittee activities.